

# Notice of Allowability

Application No.

10/082,693

Examiner

Kevin Schubert

Applicant(s)

RICHARDS ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/7/05.
2. ☒ The allowed claim(s) is/are 3 and 4.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**EMMANUEL L. MOISE**  
SUPERVISORY PATENT EXAMINER

Art Unit: 2137

**DETAILED ACTION**

Claims 3 and 4 have been considered and deemed allowable. Reasons for allowance are given below.

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***Allowable Subject Matter***

As amended, claim 3 incorporates the limitations of previously presented claim 1 with the subject matter of previously presented claim 3, the subject matter of previously presented claim 3 having been deemed allowable by the Examiner in the action mailed 11/18/05. Examiner finds no single prior art reference teaching of a system in which a data user obtains permission, recorded in an access list, to  
10 access data owner data stored on a data server based on a step of comparing a decrypted data user public key, of a cryptographic key pair, with a data user public key previously received by the data server as described in previously presented claim 1. A thorough search of the prior art reveals the primary reference Guan (U.S. Patent Application Publication 2001/0027472). Guan discloses a similar method in which a data user obtains permission to access data owner data stored on a data server based on a  
15 public-ID identification. It appears that the public-ID of the Guan reference is not a *public key of a cryptographic key pair*. Furthermore, it appears that Guan does not teach recording permission in an *access list*. Examiner believes both of these absent limitations, however, would have been an obvious combination to one of ordinary skill in the art at the time the invention was filed in light of the teachings of Schneier and Black.

20 Thus, claim 1 was previously rejected under Guan in view of Schneier in further view of Black. However, Examiner believes the references taken singly or in combination fail to teach a data user sending an *encrypted data owner public key to a data server*, comparing a decrypted data owner public key with a previously received data owner public key, and if the comparison indicates a match, checking the access list to determine whether the data server has permission to transfer information as described  
25 in claim 3. While motivation to incorporate such limitations is apparent (e.g. increase security by requiring additional identity verification steps, etc.), Examiner finds no mention of such limitations within the cited

Art Unit: 2137

references themselves or within the prior art as a whole. For at least this reason, Examiner believes claim 3 is allowable over the prior art. Claim 4 is deemed allowable based on its dependence.

***Conclusion***

5           Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

          If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where  
10   this application or proceeding is assigned is 571-273-8300.

          Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should  
15   you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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